



COUNTY OF LOS ANGELES

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March 16, 2007

TO: Each Supervisor

FROM: Jonathan E. Fielding, M.D., M.P.H. 
Director of Public Health and Health Officer

SUBJECT: **TRANS FAT REDUCTION AND NUTRITIONAL LABELING**

On January 30, 2007, the Board approved a motion by Supervisor Burke, which 1) instructed the Director of Public Health to develop for Board review and approval within 45 days, a voluntary, incentive-based program for trans fat reduction in food sold in retail food facilities, 2) instructed the Director of Public Health to work with the Chief Administrative Officer (CAO) and County Counsel to develop contract language which will require operators of food facilities which prepare and serve food in County buildings to comply with limits on trans fats in servings, and 3) went on record in support of State legislation that would a) restrict the amount of trans fat in retail food facility food servings and b) promote the availability of calorie and nutritional labeling by retail food facilities on their menus and menu boards.

This is a status report on the implementation of this motion.

Voluntary Incentive-based Trans Fat Reduction Program

Key components of the incentive-based, voluntary program to recognize participating food facilities for replacing artificial trans fat products will include:

- development of a voluntary fee-based program in which food facilities can request Environmental Health to validate their compliance,
- development of a window decal to alert consumers that a restaurant has taken positive steps to protect the heart health of diners, and
- posting of participating restaurants on Public Health's Environmental Health website so consumers can find restaurants that have reduced artificial trans fats.

On March 2, 2007, the Department convened the first meeting of the task force (as envisioned in Supervisor Burke's January 9, 2007, Board motion) to develop guidelines for a voluntary, incentive-based education and certification program. The task force includes industry representatives from large chain, small chain, non-chain, and ethnic restaurants (Norm's Restaurant, Poquito Mas, Charlie's Trio Restaurant, M&M Soul Food, Barney's Beanery & Q's Billiards) fast food restaurants (In-N-Out), restaurant associations (California Restaurant Association, American Chinese Restaurant Association), as well as representatives from community health organizations (American Heart Association, Keck Diabetes Prevention Initiative), the Public Health Commission, the City of Los Angeles (Council District 14), and the Physical Activity and Nutrition Task Force. The Voluntary Artificial Trans Fat Action Team (VATFAT), with 15 members in attendance, met to review a draft of the proposed program.

Members raised important issues and provided substantive suggestions for shaping the program. The Task Force reviewed a draft of two documents, one outlining an "Application Process" and the other proposing components of "Artificial Trans Fat Standards and Required Documentation." The latter document outlined a proposed limit on artificial trans fat per serving (less than 0.5 grams per serving) and explained what types of ingredients would require documentation. There was general agreement about the standards.

Some restaurant industry members expressed concern that they would be required to submit copies of the ingredient labels with their application to the Department, which would reveal proprietary information they did not want on public file. While it is important to look at labels and receipts to verify compliance, consensus was reached that this could occur at the restaurant during the inspection process.

Draft sample decals were reviewed by the group and requests were made to develop alternative wording and graphics for the decals.

Based on the first Task Force meeting, it is clear that this process is more complex than initially envisioned and will take more time to finalize the plan. The Task Force will continue to work with Public Health to refine the program. Its next meeting is tentatively scheduled for April 26, 2007. Further drafts of the program details will be presented for review and discussion.

After the plan is completed, implementation will require the following preparatory steps:

- refinement and promulgation of the procedures for the voluntary program
- calculation and validation of the labor cost components to establish the optional fee
- preparation of an ordinance to implement the optional fee and initiate the program
- training of Environmental Health staff to conduct the program.
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We will review these steps with the Task Force at its next meeting and provide you with a complete time-line to implement the program.

In addition, an educational campaign will be initiated, to include:

- a letter from the Health Officer to all retail food establishments, informing them about the health concerns of trans fats and providing links to sources of information to assist in substitution away from ingredients containing trans fats, and
- a training/education campaign for food establishments with information on substitution of ingredients and processes for determining trans fat content.
- a public education campaign (dependent on available resources).

County Food Service Contracts

On February 21, 2007 the Department had an initial discussion with CAO staff regarding trans fat restriction language in the County food service contracts. In addition to the CAO, food service contracts are also managed by other departments: Public Works, Beaches and Harbors, Sheriff, Parks and Recreation, and Health Services. The courts have food service contracts which are gradually being transferred from the County to the State over the next 3 years.

The food service contracts generally run for 5 years, so implementation will be phased in as contracts are renewed, through 2012. These contracts include cafeterias, snack shops, catering trucks, seasonal beach vendors, and golf courses.

The CAO staff raised the issue of possible decreased revenue to the County and difficulty attracting vendors, if the cost of the trans fat replacement oils cuts into the profits of the vendors. The contracts regulate the prices the vendors can charge. However, most of the information we've received indicates that any cost differential for replacement oils has a minor impact on overall operational costs.

A meeting with several food service vendors will be held in early April 2007, to discuss the potential impact. The Department will request vendors with existing contracts to voluntarily comply with the standards during the current contract periods even though their contracts will not require compliance until renewal.

County Support for State Legislation

The Department is working with the Chief Administrative Office to identify and follow State bills which should be supported based on the Board's motion. The CAO will include updates on these bills in its periodic Sacramento legislative status memos to the Board.

I will provide you with the second status report on this motion by May 1, 2007. In the meantime, if you have any questions or need additional information, please let me know.

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c: Chief Administrative Officer
County Counsel
Executive Officer, Board of Supervisors